

Practitioner's Docket No. CARDE.59410

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/US00/01485	22 January 2000 (22.01.00)	22 January 1999 (22.01.99)
International Application No.	International Filing Date	Priority Date Claimed

AORTIC CATHETER WITH FLOW DIVIDER AND METHODS FOR PREVENTING CEREBRAL EMBOLIZATION

Title of Invention

Macoviak, John A.; Samson, Wilfred J.; Lee, Michael; and Esch, Brady
Applicant(s)

Box PCT
Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

RECEIVED

MAR 03 2003

TECHNOLOGY CENTER R3700

TECHNOLOGY CENTER R3700

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is **mandatory**.)

(Express Mail certification is **optional**.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date October 25, 2002 in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231 as "Express Mail Post Office to Addressee" Mailing Label No. EV085185033US.

Karen Earl

Type or print name of person mailing paper

Date: October 28, 2002

Karen Earl
Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

DECLARATION OR OATH

- I.** The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

Attached is a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.

FEEs

II.

1. Fees for claims

Each independent claim in excess of 3
(37 C.F.R. § 1.492(b)) \$0.00

Each claim in excess of 20
(37 C.F.R. § 1.492(c)) \$270.00

2. Surcharge fees

Surcharge for filing the oath or declaration later
than thirty months from the priority date pursuant
to § 1.495(c): \$65.00

Total Fees \$335.00

SMALL ENTITY STATUS

- III.** An assertion that this filing is by a small entity was made by paying the basic national fee as a small entity.

EXTENSION OF TIME

- IV.** The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of four months, the small entity fee for which is \$720.00 as set out in 37 C.F.R. § 1.17(a)(4). If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$720.00

10/31/2002 SNAJARRO 00000126 10031826

01 FC:2617	65.00 OP
02 FC:2615	270.00 OP
03 FC:2254	720.00 OP

TOTAL FEE DUE

V. The total fee due is:

Completion fee(s)	\$335.00
Extension fee (if any)	\$720.00

TOTAL FEE DUE \$1,055.00

PAYMENT OF FEES

VI.

Attached is a check in the amount of \$1,055.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

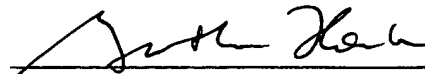
A duplicate of this request is attached.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

VII. Please charge, in the manner authorized above, the following additional fees that may be required by this paper and during the entire pendency of this application:

- * 37 C.F.R. § 1.492(a)(1), 1.492(a)(4) (filing fees)
- * 37 C.F.R. § 1.17 (application processing fees)
- * 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to section 1.136(a))
- * 37 C.F.R. § 1.492(e) and/or (f) (surcharge fees for filing the declaration and/or an English translation of an international application later than 30 months from the earliest-claimed priority date).

Date: 10/28/02



Gunther Hanke
Registration No. 32,989
Fulwider Patton Lee & Utecht, LLP
200 Oceangate, Suite 1550
Long Beach, CA 90802
562-432-0453
Customer No. 27629

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/US00/01485	22 January 2000 (22.01.00)	22 January 1999 (22.01.99)
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

AORTIC CATHETER WITH FLOW DIVIDER AND METHODS FOR PREVENTING CEREBRAL EMBOLIZATION

TITLE OF INVENTION

Macoviak, John A.; Samson, Wilfred J.; Lee, Michael; and Esch, Brady

APPLICANT(S)

Box PCT
Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

COVER SHEET FOR ASSIGNMENT
IN THE UNITED STATES ELECTED OFFICE (EO/US)
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL STAGE
IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. § 371

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date October 28, 2002 in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231 as "Express Mail Post Office to Addressee" Mailing Label No. EV085185033US.

Karen Earl

Type or print name of person mailing paper

Date: October 28, 2002


Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

IDENTIFICATION OF APPLICATION
(37 C.F.R. § 3.21 and 37 C.F.R. § 3.31(a)(4))

1. The patent application filed herewith, and to which the attached assignment (document) refers, is identified as follows:
 - a. Date of execution: October 15, 2002; October 17, 2002; and October 19, 2002
 - b. Name of each inventor: 1: Macoviak, John A.
2: Samson, Wilfred J.
3: Lee, Michael
4: Esch, Brady
 - c. Title of invention: AORTIC CATHETER WITH FLOW DIVIDER AND METHODS FOR PREVENTING CEREBRAL EMBOLIZATION

NAME OF PARTY(IES) CONVEYING INTEREST
(37 C.F.R. § 3.31(a)(1))

2. The parties conveying this interest are:

Macoviak, John A.; Samson, Wilfred J.; Lee, Michael; and Esch, Brady

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST
(37 C.F.R. § 3.31(a)(2))

3. The rights are being conveyed to:

Name: Cardeon Corporation
Address: 10161 Bubb Road
Cupertino, CA 95014
Telephone No.: 408-253-6118

DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED
(37 C.F.R. § 3.31(a)(3))

4. The accompanying document intends to accomplish an assignment.

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED (37 C.F.R. § 3.31(a)(5))**

5. Please address correspondence to:

Name: Gunther Hanke, Esq.
Fulwider Patton Lee & Utecht, LLP

Address: 200 Oceangate, Suite 1550
Long Beach, CA 90802

Telephone No.: (562) 432-0453

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 C.F.R. § 3.31(a)(7))

6. The attached assignment (document) was executed on October 15, 2002; October 17, 2002; and October 19, 2002.

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

7. The attached document is in the English language.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

8. Submitted herewith is a true copy of the original document.

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET
AND THE FEE (37 C.F.R. § 3.31(a)(6))**

9. A. This cover sheet identifies only one application.
B. The fee for recordal (37 CFR 1.21(h)) is \$40.00.

Attached is a check in the amount of \$40.00.
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

10/31/2002 SNAJARRO 00000126 10031826

04 FC:8021

40.00 OP

STATEMENT (37 C.F.R. § 3.31(a)(9)) AND SIGNATURE (37 C.F.R. § 3.31(a)(10))

10. To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Date: 10/28/02



Gunther Hanke
Registration No. 32,989
Fulwider Patton Lee & Utecht, LLP
200 Oceangate, Suite 1550
Long Beach, CA 90802
562-432-0453
Customer No. 27629

TOTAL NUMBER OF PAGES BEING SUBMITTED

11. The total number of pages being submitted, including cover sheet attachment(s), and documents are 8.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,826	John A. Macoviak	CARDE.59410

INTERNATIONAL APPLICATION NO.

PCT/US00/01485

I.A. FILING DATE	PRIORITY DATE
01/22/2000	

Gunther Hanke
Fulwider Patton Lee & Utecht
PO Box 22615
Long Beach, CA 90801-5615

RECEIVED

MAY 28 2002

FULWIDER, PATTON,
LEE & UTECHT
LONG BEACH, CA 90802

CONFIRMATION NO. 5785

371 FORMALITIES LETTER



OC00000008154484

Date Mailed: 05/22/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

*Missing Requirements
Due
7-22-02*

Int JB JP KE

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,826	PCT/US00/01485	CARDE.59410

FORM PCT/DO/EO/905 (371 Formalities Notice)